UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,290	10/03/2005	Peter Wakim	915-006.092	2075

4955   7590   03/16/2009
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ART UNIT	PAPER NUMBER
2419	

MAIL DATE	DELIVERY MODE
03/16/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/552,290	WAKIM ET AL.
	Examiner	Art Unit	
	CHRISTOPHER T. WYLLIE	2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 October 2005</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-24</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-24</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>03 October 2005</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>10/03/2005</u>.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20090305

DETAILED OFFICE ACTION

1.   This action is responsive to the communication received October 3rd, 2005.

Claims 1-24 have been entered and are presented for examination.

2.   Application 10/552,290 is a 371 of PCT/IB03/01213 (04/03/2003).

Specification

3.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

        The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

        The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4.   The lengthy specification has not been checked to the extent necessary to

determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the

specification.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

        Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
        matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
        conditions and requirements of this title.

Claims 19-22 are rejected under 35 U.S.C. 101 because the claimed subject matter is non-statutory.

As per claim 19, Applicant has claimed a "software tool …comprising program portions for carrying out the steps of claim 10." This implies that the applicant is claiming a system of software, per se, which is further evident in the specification **(p. 9, lines 24-26 [the software tool is implemented in a computer program])**.

As per claim 20, application has claimed a "computer program product...comprising loadable program code sections for carrying out the steps of claim 10." Again, this implies that the applicant is claiming a system of software, per se.

As per claim 21, applicant has claimed "a computer program product...comprising computer readable medium for storing the code" for causing a computer to perform the instructions as specified in claims; This implies that applicant is claiming a system of software, per se, lacking the hardware necessary to realize any of the underlying functionality. Further, computer readable medium as examined in light of specification discloses to be a "carrier wave." A carrier wave is a non-statutory subject matter.

As per claim 22, applicant has claimed a "computer data signal embodied in a carrier wave." This implies that the applicant is claiming a signal, per se, which is non-statutory subject matter.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7.   Claims 1, 5-6, 8-10, 14-15, 17, and 24 are rejected under 35 U.S.C. 102(a) as

being anticipated by Burton (GB 2375265).

Regarding claim 1, Burton discloses a network serving device for mediating

networked services **(see Figure 1, Gateway device 1)**, comprising: an interface

component for receiving a service request message from a portable electronic terminal

(p. 8, lines 17-20 [the gateway comprises a receiver operable to receive incoming

messages from mobile telephones]); wherein said service request message

comprises at least a tag identification sequence and a subscriber identification **(p. 2**

lines 5-12 [the receiver of the gateway device receives an incoming message

containing identifying information specific to a user and a code specific to a

product or service]); wherein said tag identification sequence has been received from

a radio frequency identification tag **(p.20, lines 19-22 [the mobile telephone**

comprises a RF reader that interrogates an RF transponder having data

corresponding to a code stored in a memory]); a selection component for selecting

one or more services in accordance with said tag identification sequence and said

subscriber identification; wherein said interface component is adapted for establishing a

connection between said portable electronic terminal and at least one tag service

provider associated with said one or more selected services for operating said one or

more selected services **(see Figure 3 [the first and second processors extract the**

users mobile number and the desired product or service and sends the

information to the order generator where the order is transmitted to the vendor

via transmitter 9 (see Figure 1)]).

Regarding claim 5, Burton further discloses that the interface component for

establishing a connection relating to said one or more selected services is adapted to

transmit an initiation request to said at least one tag service provider **(see Figure 3 [the**

first and second processors extract the users mobile number and the desired

product or service and sends the information to the order generator where the

order is transmitted to the vendor via transmitter 9 (see Figure 1)]).

Regarding claim 6, Burton discloses a portable electronic terminal for accessing

networked services **(see Figure 2, mobile telephone 10)**, comprising: a subscriber

identification **(p. 2 lines 5-12 [the receiver of the gateway device receives an**

incoming message containing identifying information specific to a user and a

code specific to a product or service, therefore, the mobile has subscriber

information]); a radio frequency identification tag reader for receiving a tag

identification sequence from a radio frequency identification tag **(p.20, lines 19-22 [the**

mobile telephone comprises a RF reader that interrogates an RF transponder

having data corresponding to a code stored in a memory]); a generating

component for generating a service request message in accordance with said tag

identification sequence and said subscriber identification; wherein said service request

message comprises said tag identification sequence and said subscriber identification

(p. 2 lines 5-12 and p. 8, lines 17-20 [the receiver of the gateway device receives

an incoming message from the mobile telephone containing identifying

information specific to a user and a code specific to a product or service]), and an

interface component for transmitting said service request message to a mediating

service provider for establishing a connection to at least one tag service provider for

operating one or more subscribed services **(see Figure 2, [the mobile telephone has**

an antenna used to transmit messages to the gateway device]).

Regarding claim 8, Burton further discloses said interface component is adapted

for receiving a service response message from said at least one tag service provider **(p.**

16, lines 9-11 [a confirmation may be sent directly to the user from the supplier

using the contact information provided or may be sent indirectly through the

gateway device to the user]) and a user interface is provided for outputting information

included in said service response message **(see Figure 2, Mobile Telephone 10 [the**

mobile has a viewing screen 11]).

Regarding claim 9, Burton discloses a system for mediating networked services,

comprising a portable electronic terminal **(see Figure 2, mobile telephone 10)**,

comprising: a subscriber identification **(p. 2 lines 5-12 [the receiver of the gateway**

device receives an incoming message containing identifying information specific

to a user and a code specific to a product or service, therefore, the mobile has

subscriber information]); a radio frequency identification tag reader for receiving a tag

identification sequence from a radio frequency identification tag **(p.20, lines 19-22 [the**

mobile telephone comprises a RF reader that interrogates an RF transponder

having data corresponding to a code stored in a memory]); a generating

component for generating a service request message in accordance with said tag

identification sequence and said subscriber identification; wherein said service request

message comprises said tag identification sequence and said subscriber identification

(p. 2 lines 5-12 and p. 8, lines 17-20 [the receiver of the gateway device receives

an incoming message from the mobile telephone containing identifying

information specific to a user and a code specific to a product or service]), and an

interface component for transmitting said service request message to a mediating

service provider for establishing a connection to at least one tag service provider for

operating one or more subscribed services **(see Figure 2, [the mobile telephone has**

an antenna used to transmit messages to the gateway device]); a network serving

device constituting said mediating service provider **(see Gateway device 1)**, comprising

an interface component for receiving a service request message from a portable

electronic terminal **(p. 8, lines 17-20 [the gateway comprises a receiver operable to**

receive incoming messages from mobile telephones]); wherein said service request

message comprises at least a tag identification sequence and a subscriber identification

(p. 2 lines 5-12 [the receiver of the gateway device receives an incoming message

containing identifying information specific to a user and a code specific to a

product or service]); and a selection component for selecting one or more services in

accordance with said tag identification sequence and said subscriber identification;

wherein said interface component is adapted for establishing a connection between said

portable electronic terminal and at least one tag service provider associated with said

one or more selected services for operating said one or more selected services **(see**

Figure 3 [the first and second processors extract the users mobile number and

the desired product or service and sends the information to the order generator where the order is transmitted to the vendor via transmitter 9 (see Figure 1)]).

Regarding claim 10, Burton discloses a method for mediating network services by a mediating network service provider **(see Figure 1, Gateway device 1)**, comprising: receiving a service request message from a portable electronic terminal **(p. 8, lines 17-20 [the gateway comprises a receiver operable to receive incoming messages from mobile telephones])**; wherein said service request message comprises at least a tag identification sequence and a subscriber identification **(p. 2 lines 5-12 [the receiver of the gateway device receives an incoming message containing identifying information specific to a user and a code specific to a product or service])**; wherein said tag identification sequence has been received from a radio frequency identification tag **(p.20, lines 19-22 [the mobile telephone comprises a RF reader that interrogates an RF transponder having data corresponding to a code stored in a memory])** selecting one or more services in accordance with said tag identification sequence and said subscriber identification; wherein said interface component is adapted for establishing a connection between said portable electronic terminal and at least one tag service provider associated with said one or more selected services for operating said one or more selected services **(see Figure 3 [the first and second processors extract the users mobile number and the desired product or service and sends the information to the order generator where the order is transmitted to the vendor via transmitter 9 (see Figure 1)]).**

Regarding claim 14, Burton further discloses transmitting an initiation request to said at least one tag service provider **(see Figure 3 [the first and second processors extract the users mobile number and the desired product or service and sends the information to the order generator where the order is transmitted to the vendor via transmitter 9 (see Figure 1)])**.

Regarding claim 15, Burton discloses a method for accessing network services by a portable electronic terminal **(see Figure 2, mobile telephone 10)**, comprising: retrieving a tag identification sequence from a radio frequency identification tag by a RFID tag reader connected to the portable electronic terminal **(p.20, lines 19-22 [the mobile telephone comprises a RF reader that interrogates an RF transponder having data corresponding to a code stored in a memory])**; generating a service request message in accordance with said tag identification sequence and said subscriber identification; wherein said service request message comprises said tag identification sequence and said subscriber identification **(p. 2 lines 5-12 and p. 8, lines 17-20 [the receiver of the gateway device receives an incoming message from the mobile telephone containing identifying information specific to a user and a code specific to a product or service; the message can be an short message services message])**, and transmitting said service request message to a mediating service provider to establishing a connection to at least one tag service provider for operating one or more subscribed services **(see Figures 2 and 3, [the mobile telephone has an antenna used to transmit messages to the gateway device; the processors extract the users mobile number and the desired product**

or service and send the information to the order generator where the order is

transmitted to the vendor via transmitter 9 (see Figure 1)]).

Regarding claim 17, Burton further discloses receiving a service response

message from said at least one tag service provider **(p. 16, lines 9-11 [a confirmation**

may be sent directly to the user from the supplier using the contact information

provided or may be sent indirectly through the gateway device to the user]) and a

displaying information comprised by said service response message to a user **(see**

Figure 2, Mobile Telephone 10 [the mobile has a viewing screen 11 that can be

used to view the message sent by the supplier or the gateway device]).

Regarding claim 24, Burton further discloses receiving a service response

message from said at least one tag service provider **(p. 16, lines 9-11 [a confirmation**

may be sent directly to the user from the supplier using the contact information

provided or may be sent indirectly through the gateway device to the user]) and a

displaying information comprised by said service response message to a user **(see**

Figure 2, Mobile Telephone 10 [the mobile has a viewing screen 11 that can be

used to view the message sent by the supplier or the gateway device]).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.,* 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
      obviousness or nonobviousness.

10.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

11.   Claims 2-4, 11-13, and 18-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Burton (GB 2375265) in view of Catan (US 2002/0139859).

      Regarding claim 2, Burton further discloses that the selection component

comprises a service retrieving component for obtaining service information associated

with said tag identification **(p. 10, lines 11-19 [the second processor extracts the**

code and make a request to the data storage device to retrieve the data

corresponding to the product or service identified by the code]). Burton is silent

regarding a subscription retrieving component for obtaining subscription information

associated with said subscriber identification; and a checking component for comparing

said service information with said subscription information to select one or more

subscribed services. However, Catan discloses such a feature **(paragraph 0066, lines

7-9, 18-21, and 26-36 [the network server performs an interaction process with the

data is received which includes acquiring person profile information which is

stored on the server or third party database; the profile includes elements such

as the user interest in sports and favorite colors; the server uses the data read

from the tennis shoes and the profile information to generate a cross-selling

promotion indicating that a set of tennis racquets are on sale])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Catan into the system of

Burton. The method of Catan can be implemented by enabling the first processor to

access a database that contains the user's personal profile. The motivation for this is to

enable the gateway device to make a sales pitch based on the selected item and the

user's interests.

Regarding claim 3, Burton further discloses said service retrieving component is

adapted to access a service data storage; wherein said service data storage comprises

a plurality of service information which are associated with at least one tag identification

sequence for retrieval **(p. 10, lines 11-19 [the second processor extracts the code

and make a request to the data storage device to retrieve the data corresponding

to the product or service identified by the code])**. Burton is silent regarding said

subscription retrieving component is adapted to access a subscription data storage;

wherein said subscription data storage comprises a plurality of subscription information which is associated with at least one subscriber identification for retrieval. However, Catan discloses such a feature **(paragraph 0066, lines 7-9, 18-21, and 26-36 [the network server performs an interaction process with the data is received which includes acquiring person profile information which is stored on the server or third party database; the profile includes elements such as the user interest in sports and favorite colors; the server uses the data read from the tennis shoes and the profile information to generate a cross-selling promotion indicating that a set of tennis racquets are on sale])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the method of Catan into the system of Burton. The method of Catan can be implemented by enabling the first processor to access a database that contains the user's personal profile. The motivation for this is to enable the gateway device to make a sales pitch based on the selected item and the user's interests.

Regarding claim 4, the references as applied above disclose all the claimed subject matter recited in claim 2. However, Catan further discloses said subscription information comprises classification information which relates to at least one class of services **(paragraph 0119, 4-15 [the preference database makes predictions on what the user may prefer based on past choices and behaviors of the user; the database uses these inferences to classify the user such as a baseball enthusiast])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further implement the method of Catan into the system of Burton. The method of Catan can be implemented by incorporating a preference database in the gateway device to create a profile indicating the habits of the user. The motivation for this is to make a sales pitch to the user about a product or service that reflects their habits or interests.

Regarding claim 11, Burton further discloses retrieving service information associated with said tag identification **(p. 10, lines 11-19 [the second processor extracts the code and make a request to the data storage device to retrieve the data corresponding to the product or service identified by the code])**. Burton is silent regarding retrieving subscription information associated with said subscriber identification; and comparing said service information with said subscription information to select one or more subscribed services. However, Catan discloses such a feature **(paragraph 0066, lines 7-9, 18-21, and 26-36 [the network server performs an interaction process with the data is received which includes acquiring person profile information which is stored on the server or third party database; the profile includes elements such as the user interest in sports and favorite colors; the server uses the data read from the tennis shoes and the profile information to generate a cross-selling promotion indicating that a set of tennis racquets are on sale])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the method of Catan into the system of

Burton. The method of Catan can be implemented by enabling the first processor to

access a database that contains the user's personal profile. The motivation for this is to

enable the gateway device to make a sales pitch based on the selected item and the

user's interests.

Regarding claim 12, Burton further discloses said retrieving service information

comprises accessing a service data storage; wherein said service data storage

comprises a plurality of service information which are associated with at least one tag

identification sequence for retrieval **(p. 10, lines 11-19 [the second processor**

extracts the code and make a request to the data storage device to retrieve the

data corresponding to the product or service identified by the code]). Burton is

silent regarding said retrieving subscription information comprises accessing a

subscription data storage; wherein said subscription data storage comprises a plurality

of subscription information which is associated with at least one subscriber identification

for retrieval. However, Catan discloses such a feature **(paragraph 0066, lines 7-9, 18-**

21, and 26-36 [the network server performs an interaction process with the data is

received which includes acquiring person profile information which is stored on

the server or third party database; the profile includes elements such as the user

interest in sports and favorite colors; the server uses the data read from the

tennis shoes and the profile information to generate a cross-selling promotion

indicating that a set of tennis racquets are on sale]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Catan into the system of

Burton. The method of Catan can be implemented by enabling the first processor to

access a database that contains the user's personal profile. The motivation for this is to

enable the gateway device to make a sales pitch based on the selected item and the

user's interests.

Regarding claim 13, the references as applied above disclose all the claimed

subject matter recited in claim 11. However, Catan further discloses said subscription

information comprises classification information which relates to at least one class of

services **(paragraph 0119, 4-15 [the preference database makes predictions on**

what the user may prefer based on past choices and behaviors of the user; the

database uses these inferences to classify the user such as a baseball

enthusiast]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to further implement the method of Catan into the system

of Burton. The method of Catan can be implemented by incorporating a preference

database in the gateway device to create a profile indicating the habits of the user. The

motivation for this is to make a sales pitch to the user about a product or service that

reflects their habits or interests.

Regarding claim 18, Burton discloses a method for mediating networked services

by a mediating service provider to a portable electronic terminal, comprising receiving at

least a tag identification sequence from a radio frequency identification tag by a radio

frequency identification tag reader connected to said portable electronic terminal **(p.20,**

lines 19-22 [the mobile telephone comprises a RF reader that interrogates an RF

transponder having data corresponding to a code stored in a memory]);generating

a service request message in accordance with said tag identification sequence and

subscriber information **(p. 2 lines 5-12 and p. 8, lines 17-20 [the receiver of the**

gateway device receives an incoming message from the mobile telephone

containing identifying information specific to a user and a code specific to a

product or service; the message can be an short message services message]);

transmitting said service request message from said portable electronic terminal to a

mediating service provider **(see Figure 3, Step 3 [the message is sent to the**

gateway device 1]); receiving said service request message from said portable

electronic terminal by said mediating service provider **(see Figure 3, Step 4 []the**

message is received by the receiver of the gateway device and sent to the

processors); and establishing a connection by said mediating service provider between

said portable, electronic terminal and at least one tag service provider associated with

said one or more selected services for operating said with said one or more selected

services **(see Figure 3 [the first and second processors extract the users mobile**

number and the desired product or service and sends the information to the order

generator where the order is transmitted to the vendor via transmitter 9 (see

Figure 1)]). Burton does not explicitly disclose selecting one or more services in

accordance with said tag identification sequence and said subscriber identification

information. However, Catan discloses such a feature **(paragraph 0066, lines 7-9, 18-**

21, and 26-36 [the network server performs an interaction process with the data is

received which includes acquiring person profile information which is stored on

the server or third party database; the profile includes elements such as the user

interest in sports and favorite colors; the server uses the data read from the

tennis shoes and the profile information to generate a cross-selling promotion

indicating that a set of tennis racquets are on sale]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Catan into the system of

Burton. The method of Catan can be implemented by enabling the first processor to

access a database that contains the user's personal profile. The motivation for this is to

enable the gateway device to make a sales pitch based on the selected item and the

user's interests.

Regarding claim 19, Burton discloses all the claimed subject matter recited in

claim 10, but is silent regarding a software tool for mediating networked services,

comprising program portions for carrying out the steps of claim 10, when said program

is implemented in a computer program for being executed on a microprocessor based

component. However, Catan discloses such a feature **(paragraph 0130, lines -1-8 [the**

function of the server is governed by a software process running on the server]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Catan into the system of

Burton. The method of Catan can be implemented by embedding the method of Burton

on a computer-readable medium comprising software to be executed by a processor in

order to perform the method of Burton.

Regarding claim 20, Burton discloses all the claimed subject matter recited in claim 10, but is silent regarding a computer program product for mediating networked services, comprising loadable program code sections for carrying out the steps of claim 10, when said program is implemented in a computer program for being executed on a microprocessor based component. However, Catan discloses such a feature **(paragraph 0130, lines -1-8 [the function of the server is governed by a software process running on the server])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the method of Catan into the system of Burton. The method of Catan can be implemented by embedding the method of Burton on a computer-readable medium comprising software to be executed by a processor in order to perform the method of Burton.

Regarding claim 21, Burton discloses all the claimed subject matter recited in claim 18, but is silent regarding a computer program product for mediating networked services, wherein said computer program product is comprising program code sections stored on a computer readable medium for carrying out the method of claim 18, when said computer program product is executed on a microprocessor based component. However, Catan discloses such a feature **(paragraph 0130, lines -1-8 [the function of the server is governed by a software process running on the server])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the method of Catan into the system of Burton. The method of Catan can be implemented by embedding the method of Burton

on a computer-readable medium comprising software to be executed by a processor in order to perform the method of Burton.

12.   Claims 7, 16, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burton (GB 2375265) in view of Schmidtberg et al. (US 2004/0145474).

Regarding claim 7, Burton discloses all the claimed subject matter recited in claim 6, but is silent regarding the radio frequency identification tag reader is adapted to receive at least said tag identification sequence and communication related data; wherein said generating component is adapted to generate said service request message in accordance with said communication related data and said interface component is adapted to transmit said service request message in accordance with said communication related data. However, Schmidtberg et al. discloses such a feature **(paragraph 0019, lines 11-21 [when the dynamic EPC (electronic product code) is read, it includes one or more fields that indicate to the server information on how to decode the one or more remaining fields; a message including the dynamic EPC is sent from the reader to the server via interfaces])**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the method of Schmidtberg et al. into the system of Burton. The method of Schmidtberg et al. can be implemented by enabling the RF reader to receive a dynamic EPC via the RF transponder. The motivation for this is to encrypt the message that is sent from the mobile telephone to the gateway device.

Regarding claim 16, Burton discloses all the claimed subject matter recited in

claim 15, but is silent regarding receiving communication related data from said radio

frequency identification tag by said radio frequency identification tag reader, wherein

said service request message is generated and transmitted in accordance with said

communication related data. However, Schmidtberg et al. discloses such a feature

(paragraph 0019, lines 11-21 [when the dynamic EPC (electronic product code) is

read, it includes one or more fields that indicate to the server information on how

to decode the one or more remaining fields; a message including the dynamic

EPC is sent from the reader to the server via interfaces]).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Schmidtberg et al. into the

system of Burton. The method of Schmidtberg et al. can be implemented by enabling

the RF reader to receive a dynamic EPC via the RF transponder. The motivation for

this is to encrypt the message that is sent from the mobile telephone to the gateway

device.

Regarding claim 23, Burton further discloses said interface component is

adapted for receiving a service response message from said at least one tag service

provider **(p. 16, lines 9-11 [a confirmation may be sent directly to the user from the**

supplier using the contact information provided or may be sent indirectly through

the gateway device to the user]) and a user interface is provided for outputting

information included in said service response message **(see Figure 2, Mobile**

Telephone 10 [the mobile has a viewing screen 11]).

13.   Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burton

(GB 2375265) in view of Markham et al. (US 2003/0155415).

        Regarding claim 22, Burton discloses all the claimed subject matter recited in

claim 15, but is silent regarding a computer data signal embodied in a carrier wave and

representing instructions which when executed by a processor cause the steps of claim

15 to be carried out. However, Markham et al. discloses such a feature **(paragraph**

0286, lines 1-10 [the computer readable medium embodying the invention is a

data signal (carrier wave)]).

        Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to implement the method of Markham et al. into the system

of Burton. The method of Markham et al. can be implemented by embedding the

method of Burton on a computer-readable medium to perform the method of Burton.

Conclusion

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CHRISTOPHER T. WYLLIE whose telephone number is

(571) 270-3937. The examiner can normally be reached on Monday through Friday

8:30am to 6:00pm EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher T. Wyllie/
Examiner, Art Unit 2419

/Edan Orgad/
Supervisory Patent Examiner, Art Unit 2419